

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE		EFFECTIVE DATE 12/23/1994	NUMBER 02.01.107
SUBJECT JURY DUTY		SUPERSEDES 02.01.107 (11/27/89)	
		AUTHORITY MCLA 600.1348 and 791.203; Dept. of Civil Service Rules, Sec. 2-7; Appropriate Collective Bargaining Agreement; Dept. of Mgmt and Budget Procedure 1230.02 (Revised 1/1/94)	
		ACA STANDARDS 3-4064	
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POLICY STATEMENT:

Employees shall be granted administrative leave when they are called for jury duty by a court.

RELATED POLICIES:

02.01.103 Employee Court Appearance - Witness Fees, Employee Duty Status and Related Expenses
02.02.101 Administrative Leave

POLICY:

- A. Exclusively represented employees shall be governed by their bargaining unit agreement when it is in conflict with this policy.

ADMINISTRATIVE LEAVE

- B. An employee shall be granted administrative leave when called to appear for jury duty and if selected to serve on a jury. The employee shall notify his/her supervisor, by copy of the letter from the court, within two scheduled work days of receipt of the notice, to ensure appropriate coverage during the employee's absence and reimbursement to the Department for court payments received by the employee. When jury duty is cancelled or ends prior to the end of the scheduled work shift, the employee shall contact the supervisor and report to work as scheduled.
- C. An employee shall receive administrative leave only for actual time spent in court plus reasonable travel time, to a maximum of eight hours per day. Employees granted administrative leave shall not be entitled to overtime compensation or travel expenses.
- D. After the jury duty has been completed or at the end of a pay period, the employee shall inform the supervisor in writing the number of hours s/he was required to spend at court, including reasonable travel time to and from court. Hours used for which the employee is not granted administrative leave shall be covered by annual, deferred, or personal leave, compensatory time, or lost time if appropriate. Prior to being credited with administrative leave, an employee shall be required to provide written verification from the court that his/her presence was required for a specific time frame.

SCHEDULE CHANGES - SECOND AND THIRD SHIFT EMPLOYEES

- E. An employee working the second or third shift shall notify his/her immediate supervisor within two scheduled work days of receipt of notice that s/he has been called to appear for jury duty. The supervisor shall attempt to make a schedule change to a day shift to accommodate the employee's jury duty. Any change made shall be in accordance with the appropriate collective bargaining agreement.
- F. If a schedule change cannot be made, the employee may request from the supervisor to have all or a portion of the shift off on the day preceding the jury duty. The employee may also request to have all or a portion of the shift off on the day following the jury duty if the employee feels s/he is unable to perform his/her duties in an alert manner.

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- G. The supervisor shall approve the employee's request for time off as annual, deferred, or personal leave, compensatory leave, or approved lost time if appropriate. Upon return from jury duty, the employee shall provide written verification from the court indicating the number of hours in attendance and the employee may then elect to have the prior approved leave (annual, deferred or personal leave, compensatory time or lost time) changed to administrative leave, in accordance with section D of this policy.
- H. State law prohibits the Department from requiring an employee to work hours which, in addition to the time spent on jury duty, would exceed the number of hours the employee is normally required to work, or extend beyond the employee's normal or customary quitting time. However, the employee may elect to do so.

JURY FEES AND EXPENSES

- I. In accordance with the Department of Management and Budget procedures, employees who elect to use administrative leave for jury duty must reimburse the State for jury fees received from the court. Employees are not required to reimburse the State for travel and meal expenses paid by the court. When an employee receives payment for jury duty, the employee shall contact the Business/Finance Office of his/her agency.
- J. Employees who elect to use annual, deferred, or personal leave, compensatory time or lost time for the time spent on jury duty shall be allowed to keep all payments received for jury duty and no adjustment will be made.

OPERATING PROCEDURE

- K. Wardens and the Central Office Personnel Director shall ensure that operating procedures necessary to implement this policy are in effect within 60 days of its effective date. Wardens shall submit the operating procedures to the appropriate Regional Prison Administrator (CFA) for approval.

AUDIT ELEMENTS

- L. A Primary Audit Elements List has been developed to ensure compliance with this policy by providing staff with a tool for self auditing. The list shall be used by wardens, area managers and personnel officers for auditing purposes on an annual basis unless more frequently required by the Director or Deputy Director and shall be retained on-site and in accordance with the Retention and Disposal Schedule or for three years if not addressed in the Retention and Disposal Schedule and made available to the Internal Auditor when requested.

KLM:OPH:11/09/94